

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

KARRIE ACKLEY,
on behalf of herself and
all others similarly situated,

Plaintiff,

Case No. 22-cv-232

v.

MARATHON CHEESE CORPORATION,

Defendant.

**ORDER GRANTING FINAL APPROVAL OF COLLECTIVE AND
CLASS ACTION SETTLEMENT**

Having considered the parties' Joint Motion for Final Approval of Collective and Class Action Settlement (ECF No. 34), as well as Plaintiff's Motion for and Brief in Support of Approval of Service Award (ECF No. 37) and Plaintiff's Motion for and Brief in Support of Approval of Attorneys' Fees and Costs (ECF No. 38), as well as the documents filed in support thereof and/or opposition thereto, and having held a Fairness Hearing regarding the same on January 17, 2025,

IT IS HEREBY ORDERED THAT:

1. The Settlement Agreement (ECF No. 20) is **APPROVED** as a fair, reasonable, and adequate resolution of a bona-fide dispute pursuant to Fed. R. Civ. P. 23(e) and the Fair Labor Standards Act of 1938, as amended ("FLSA");
2. The Settlement Agreement is binding on Named Plaintiff, Defendant, and all members of the Settlement Class;
3. Named Plaintiff's released claims and those of all Settlement Class members are hereby **DISMISSED** with prejudice;

4. The Wisconsin Wage Payment and Collection Laws (“WWPCL”) claims of the putative WWPCL Class members who properly and timely excluded themselves are hereby **DISMISSED** without prejudice;

5. The FLSA claims of all putative FLSA Collective members who did not affirmatively consent to join the FLSA collective, including all participating WWPCL Class members who did not consent to join the FLSA Collective, are hereby **DISMISSED** without prejudice;

6. The administrator is directed to distribute no less than \$409,883.45 to the members of collective and class in accordance with each member’s pro rata share as set forth in the settlement agreement.

7. Named Plaintiff’s Motion for Approval of Service Award is **GRANTED in part** and a Service Award to Named Plaintiff in the amount of \$10,000 is hereby **APPROVED**;

8. Named Plaintiff’s Motion for Approval of Attorneys’ Fees and Costs is **GRANTED in part**, and an award of attorneys’ fees and costs to Class counsel in the total amount of \$209,941.73 is hereby **APPROVED**; and

9. This matter is hereby **DISMISSED** on the merits, with prejudice, and without further costs to either party.

10. The clerk of court is directed to enter judgment and close the case.

Dated at Madison, Wisconsin this 24TH day of FEBRUARY, 2025.

BY THE COURT:



JAMES D. PETERSON
District Judge